

Consideration of preliminary adoption of new 312 IAC 28 to identify and govern the State Land Office, a new division within the Department of Natural Resources; Administrative Cause No. 12-075K

For consideration as to preliminary adoption in 312 IAC 28 that would provide for the purpose, administration, and definition of the State Land Office, a new division within the Bureau of Lands and Cultural Resources of the Department of Natural Resources. Preliminary adoption of 312 IAC 28 is recommended as set forth below:

The State Land Office was established by the Indiana General Assembly in 1887 and has since served as the repository for deeds and plats of land previously or currently owned by the State of Indiana. Exceptions are (1) State highways and rights-of-way, which are housed in the Indiana Department of Transportation; and (2) State university properties which are housed at each university. The State Land Office is charged with verifying and maintaining instruments of conveyance for accuracy as a protection of the public land trust which accounts for over 477,000 acres of land.

Most recently, the State Land Office was a section of the Department of Administration. With the enactment of P.L. 151-2012 (HEA 1279), the State Land Office was transferred to the Department of Natural Resources. Proposed 312 IAC 28 would provide a regulatory structure for implementation of the responsibilities of the State Land Office within the DNR.

TITLE 312 NATURAL RESOURCES COMMISSION

Proposed Rule

LSA Document #12-

DIGEST

Adds 312 IAC 28 to provide for the purpose, administration, and definition of the Indiana State Land Office, a new division within the Indiana Department of Natural Resource, as anticipated by P.L. 151-2012 (HEA 1279). Included within the purposes are those necessary and appropriate to the performance of functions of the state land office under IC 14-18-1.5 and IC 36-9-27-86. Effective 30 days after filing with the Publisher.

312 IAC 28

SECTION 1. 312 IAC 28 IS ADDED TO READ AS FOLLOWS:

Rule 1. Purposes and Administration

312 IAC 28-1-1 Purposes

Authority: IC 14-10-2-4; IC 14-18-1.5-6
Affected: IC 14-18-1.5; IC 36-9-27-86

Sec. 1. The purposes of this article are to assist with each of the following:

- (1) Implementation and administration of IC 14-18-1.5.**
- (2) The performance of functions of the state land office under IC 36-9-27-86(d).**
- (3) The identification of real property in which the state has a proprietary interest. (*Natural Resources Commission; 312 IAC 28-1-1*)**

312 IAC 28-1-2 Administration

Authority: IC 14-10-2-4; IC 14-18-1.5-6
Affected: IC 14-18-1.5

Sec. 2. (a) The state land office shall be administered as a division of the department within the bureau of lands and cultural resources that was created by IC 14-9-3-1(2).

(b) To the extent practicable and lawful, the technical functions of the state land office shall be coordinated with those of the division of land acquisition established by IC 14-9-4-1(11). (*Natural Resources Commission; 312 IAC 28-1-2*)

Rule 2. Definitions

312 IAC 28-2-1 Definitions

Authority: IC 14-10-2-4; IC 14-18-1.5-6
Affected: IC 14-18-1.5

Sec. 1. (a) Definitions in IC 14-8-2 and in 312 IAC 1 apply to this article.

(b) In addition to the definitions referenced in subsection (a), “state land office” means the state land office established as a division of the department by IC 14-18-1.5-1 and any other reference in Indiana statute or rule to the “state land office” or “land office”. (*Natural Resources Commission; 312 IAC 28-2-1*)